S.B. Civil Writ Petition No.5158/2003.

Ravi Kumar Chauhan Vs. State of Rajsthan & ors.

Date: 11.04.2005.

HON'BLE MR. R.P. VYAS, J.

Mr. Sandeep Shah for the petitioner.
Mrs.R.R. Kanwar, Additional Govt. Advocate.

Heard learned counsel for the petitioner.

The instant petition has been filed by the petitioner seeking a direction to the respondents to allow 15 bonus marks to the petitioner for participating in National Level Tournaments in order to get the Selection on the post of Physical Education Teacher Grade III. It is further prayed that the condition No.2 of the Notification dated 10.3.2000 (Annexure 8) and further reiterated by Notification dated 27.08.2000 (Annexure 6) may be declared illegal being in violation of the Articles 14, 15 and 16 of the Constitution of India.

During the course of the arguments, learned counsel for the petitioner submits that the controversy involved in the instant petition has been set at rest by this Court in S.B. Civil Writ Petition No. 2809/2002 (Madhu Sudan Joshi Vs. State of Rajasthan and others) decided on 03.11.2004 as well as the decision rendered in D.B. Civil Writ Petition No.5207/2003

(Ashish Saxena & ors. Vs State of Rajasthan and others) decided on 09.03.2004.

Learned Additional Government Advocate agrees to the submission of the learned counsel for the petitioner. He has no objection if the instant petition is decided in terms of the orders passed in S.B. Civil Writ Petition No. 2809/2002 (Madhu Sudan Joshi Vs. State of Rajasthan and others) decided on 03.11.2004 and D.B. Civil Writ Petition No.5207/2003 (Ashish Saxena & ors. Vs State of Rajasthan and others) decided on 09.03.2004..

Since the present writ petition is squarely covered by the decision dated 03.11.2004 rendered in S.B. Civil Writ Petition No. 2809/2002 (Madhu Sudan Joshi Vs. State of Rajasthan and others) and D.B.Civil Writ Petition No.5207/2003 (Ashish Saxena & ors. Vs State of Rajasthan and others) decided on 03.11.2004, the instant petition also stands allowed in terms of the orders passed in Madhu Sudan Joshi's case (supra) and Ashish Saxena's (supra).

(R.P. VYAS)J.

Anil/

S.B. Civil Writ Petition No.2165/2005.

Date: 11.04.2005.

HON'BLE MR. R.P. VYAS, J.

Mr. C.P. Trivedi for the petitioner.

The instant writ petition has been filed by the petitioner praying therein that the impugned order dated 20.1.2005 (Annexure 6) may be quashed and aside and he may be given all consequential benefits.

It is submitted by the learned counsel for the petitioner that the petitioner filed a writ petition bearing No.4008/97 which was disposed of with the direction that the petitioner should file a fresh representation and the respondent Managing Director shall decide the same within two months. It is further submitted that the petitioner submitted a fresh representation before the competent authority, but the same was rejected by the respondents vide impugned order dated 20.01.2005 (Annexure 6).

The main thrust of the argument of the learned counsel for the petitioner is that the petitioner as well as the similarly situated persons were appointed on the post of Loan

Supervisor as a fresh appointment. The respondents vide order dated 20.01.2005 while rejecting the representation of the petitioner submitted that those persons were posted as Loan Supervisor by way of promotions and the petitioner was posted as Loan Supervisor by way of direct recruitment, which is illegal and arbitrary action on the part of the respondents.

In view of the submission of the learned counsel for the petitioner, issue show cause notice to the respondents.

(R.P. VYAS)J.